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13 UNITED STATES DISTRICT COURT

14 NORTHERN DISTRICT OF CALIFORNIA

15 SAN FRANCISCO DIVISION

16 UNITED STATES OF AMERICA, ) CASE NO. 3:22-CR-00316-JD  
17 Plaintiff, )  
18 v. )  
19 JULIAN CISNEROS, )  
20 Defendant. )

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21 On August 25, 2022, defendant Julian Cisneros was charged by Indictment with being a felon in  
22 possession in violation of 18 U.S.C. § 922(g)(1).

23 This matter came before the Court on September 12, 2022 for a detention hearing. The  
24 defendant was present and represented by David Rizk. Assistant United States Attorney Kelsey  
25 Davidson appeared for the government. The government moved for detention, and the defendant  
26 opposed. At the hearing, counsel submitted proffers and arguments regarding detention.

27 Upon consideration of the facts, proffers and arguments presented, and for the reasons stated on  
28 the record, the Court finds by clear and convincing evidence that no condition or combination of  
conditions will reasonably assure the safety of any other person or the community. Accordingly, the  
defendant must be detained pending trial in this matter.

1       The present order supplements the Court's findings and order at the detention hearing and serves  
2 as written findings of fact and a statement of reasons as required by Title 18, United States Code,  
3 Section 3142(i)(1). As noted on the record, the Court makes the following findings as the bases for its  
4 conclusion: The defendant was arrested for being a felon in possession after officers received reports of  
5 a man brandishing a firearm in traffic and pointing it at people. Two witnesses described how they  
6 feared for their lives after the defendant pointed a gun at them while they were in the car. A third  
7 witness described how she saw the defendant place the gun against an individual's head. Security  
8 camera footage from earlier in the night shows the defendant pointing a gun at multiple drivers.  
9 Additionally, the defendant attempted to flee by running from officers while holding a loaded handgun,  
10 and then resisted arrest. Finally, the defendant's criminal history illustrates his dangerousness. He has a  
11 history of firearms related charges dating back to 2011. The defendant also has recent convictions for  
12 four counts of inflicting corporal injury on a spouse or cohabitant and one count of assault with great  
13 bodily injury. The underlying incident report for this describes how, over a three-week period, the  
14 defendant beat the victim multiple times, tied her up in zip ties, stabbed her hand with a homemade ice  
15 pick, used pliers to punch her fingers and toes, and pointed a loaded automatic rifle at her head.

16       This finding is made without prejudice to the defendant's right to seek review of defendant's  
17 detention or file a motion for reconsideration if circumstances warrant it.

18       Pursuant to 18 U.S.C. § 3142(i), IT IS ORDERED THAT:

19       1.       The defendant be, and hereby is, committed to the custody of the Attorney General for  
20 confinement in a corrections facility separate, to the extent practicable, from persons awaiting or serving  
21 sentences or being held in custody pending appeal;

22       2.       The defendant be afforded reasonable opportunity for private consultation with counsel;  
23 and

24       3.       On order of a court of the United States or on request of an attorney for the government,  
25 the person in charge of the corrections facility in which the defendant is confined shall deliver the  
26 defendant to an authorized United States Marshal for the purpose of any appearance in connection with a  
27 court proceeding.

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1 IT IS SO ORDERED.  
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DATED: September 13, 2022

  
HONORABLE JOSEPH C. SPERO  
United States Chief Magistrate Judge